

## **Contract Final Process**

(outline)

August 2004

### ⇒ 90% Completion

At this point of the project, the EPM submits a 90% Completion memo to the District. The District Engineer Officer adds their estimated costs and sends the memo to the Construction Administration Services Bureau, with copies to the Materials Bureau and the Civil Rights Bureau. This memo initiates project cost modifications, and materials and labor certification checks.

### ⇒ Final Inspection

When the physical work on the project is completed, the EPM, the DCE and the Contractor perform final project inspections to identify any remaining work. This includes the inspection for the SWPPP. Depending on the complexity of the project, the SWPPP close-out checklist and the final inspection may be conducted separately. The EPM is to also include the MDT Maintenance Superintendent, MDT District Biologist, MDT Agronomist, and county or city personnel, if applicable, in the final inspections.

When the EPM and DCE agree that the “work is completed”, the CSB105\_15\_2 “Contractor’s Final Inspection” form, is initiated. The Contractor submits the signed and notarized form to the District. The EPM and the DCE sign it. The following items will be addressed on this form:

- ❑ The Department and the Contractor have visually inspected the work, and the Contractor verifies that the work was completed in full accordance with the specifications and the requirements of the contract.
- ❑ The Project Close-out Checklist for the Storm Water Pollution Prevention Plan (SWPPP) has been completed, all necessary corrective actions taken and the SWPPP transferred to the appropriate entity.
- ❑ Liquidated damages have or have not been assessed, and damages that have been assessed are or are not disputed by the Contractor.
- ❑ The Contractor is aware that the Department will not consider the contract for “final acceptance” until the Contractor has fully completed its FHWA Form PR 47, if required, required labor and materials certifications and documentation, and reviewed and agreed to the final estimate.

When completed and accepted, the District sends the signed form to the Construction Administration Services Bureau, with copies to the Materials Bureau and the Civil Rights Bureau.

- ❖ After receiving the CSB105\_15\_2 form, the Construction Administration Services Bureau initiates the final review of liquidated damages, if disputed by the Contractor.
- ❖ The EPM finalizes the project and sends the project information to the District for checking. The semifinal is generated at this time if corrections are made (typically if estimate is greater than \$500). This should be completed in 60 days
- ❖ The District completes their checking process and sends the project to the Construction Administration Services Bureau. A revised semifinal is generated if corrections are made (typically if estimate is greater than \$500). This should be completed in 30 days.

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- ❖ The Civil Rights Bureau generates the Final Labor Certificate, if required, in conjunction with the checking processes.
- ❖ The Materials Bureau generates the Final Materials Certificate, in conjunction with the checking processes.
- ❖ The Construction Administration Services Bureau performs a spot check and audit of the project files and coordinates with the District to generate the final estimate. A copy of the unprocessed final estimate is sent to the Contractor to aid in the coordination with subcontractors (labor or material adjustments may still be pending at that point). This should be completed in 30 days.

### ⇒ Final Acceptance

After the Final Materials Certificate, Final Labor Certificate and FHWA PR 47 “Statement of materials and labor used by contractors on highway construction involving federal funds” have been completed, the Construction Administration Services Bureau sends the contractor recap sheet from the final estimate to the Contractor and the District. The Contractor has 30 days to initiate the CSB105\_15\_3 “Contractor’s Request and Certification for Acceptance” form or take other action. The Contractor submits the signed and notarized form to the Project Manager. The EPM immediately faxes the completed form to the Construction Administration Services Bureau, Civil Rights Bureau and Materials Bureau. The following items will be addressed on this form:

- ☐ The work requested for acceptance has been completed in accordance with the contract’s specifications, and the required materials have been used, both in quality and quantity.
- ☐ All claims that will be made on the contract have been fully submitted in writing to the Engineer, and are current as of that date.
- ☐ There are no pending investigations referencing alleged nonpayment to subcontractors or suppliers.
- ☐ There are no pending labor compliance or nonpayment claims on the contract.
- ☐ There are no known environmental violations, and the Contractor is responsible for any violations issued for damages prior to the transfer of the SWPPP.

If the form is rejected, the EPM sends the form to the contractor, with a list of items to be addressed. If no outstanding issues are identified, the EPM accepts the form.

### ⇒ Certificate of Completion

After accepting the CSB105\_15\_3 form, the EPM initiates the Certificate of Completion for the Commission and sends both the CSB105\_15\_3 and the Certificate of Completion to the District. The District Engineering Officer collects the district signatures to the Certificate of Completion and sends the CSB105\_15\_3 and the Certificate of Completion to the Construction Administration Services Bureau.

The Construction Administration Services Bureau collects the final signatures to the Certificate of Completion from headquarters. The timeframe between the final inspection and the Certificate of Completion should be no more than 180 days.

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⇒ Final Payment

After receiving the CSB105\_15\_3 form, the Construction Administration Services Bureau sends the final estimate to Accounting and the final payment is made to the Contractor.